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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

6		)	<b>Case No: CV11-02234-JSW</b>
7	NICK MAKREAS,	)	
8	Plaintiff,	)	<b>STIPULATION TO DISMISS</b>
9		)	<b>DEFENDANTS COUNTY OF SAN</b>
10	v.	)	<b>MATEO; SAN MATEO COUNTY</b>
11	FIRST NATIONAL BANK OF NORTHERN	)	<b>SHERIFF'S OFFICE; SAN MATEO</b>
12	CALIFORNIA, a business entity; T.D.	)	<b>COUNTY SHERIFF GREG MUNKS; SAN</b>
13	SERVICE COMPANY, form unknown;	)	<b>MATEO COUNTY SHERIFF'S DEPUTY</b>
14	KATHY CASTOR;, an individual; RANDY	)	<b>STEPHEN DUVALL; SAN MATEO</b>
15	BRUGONI, an individual; COUNTY OF SAN	)	<b>COUNTY SHERIFF'S DEPUTY HOSS;</b>
16	MATEO; SAN MATEO COUNTY	)	<b>and SAN MATEO COUNTY SHERIFF'S</b>
17	SHERIFF'S OFFICE; SAN MATEO	)	<b>DEPUTY VALENCIA WITHOUT</b>
18	COUNTY SHERIFF GREG MUNKS, in his	)	<b>PREJUDICE AND <del>PROPOSED</del> ORDER</b>
19	individual and official capacity; SAN MATEO	)	<b>THEREON</b>
20	COUNTY SHERIFF'S DEPUTY STEPHEN	)	
21	DUVALL; SAN MATEO COUNTY	)	
22	SHERIFF'S DEPUTY HOSS, in his individual	)	
23	and official capacity; SAN MATEO COUNTY	)	
24	SHERIFF'S DEPUTY VALENICA, in his	)	
25	individual and official capacity; Employees 1	)	
26	through 25 inclusive; and DOES 26-50;	)	
27	Defendants.	)	
28		)	

1 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HEREO THROUGH  
2 THEIR UNDERSIGNED COUNSEL:

- 3 1. The above-entitled action shall be dismissed without prejudice against defendants  
4 County of San Mateo; San Mateo County Sheriff's Office; San Mateo County  
5 Sheriff Greg Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San  
6 Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's Deputy  
7 Valencia pursuant to Federal Rule of Civil Procedure 41.  
8 2. Plaintiff and defendants County of San Mateo; San Mateo County Sheriff's  
9 Office; San Mateo County Sheriff Greg Munks; San Mateo County Sheriff's  
10 Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San  
11 Mateo County Sheriff's Deputy Valencia will bear their own costs and fees.


12 IT IS FURTHER STIPULATED THAT:

13 Any statute of limitations governing any claim against defendants County of San Mateo;  
14 San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County  
15 Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo  
16 County Sheriff's Deputy Valencia is tolled from the date this action was filed, May 6, 2011, and  
17 ending 6 months after the date of the filing of this stipulation.

18  
19 Dated: September 27, 2011

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21 /s/ Nelson W. Goodell  
22 NELSON W. GOODELL  
23 The Goodell Law Firm  
Attorney for Plaintiff, Nick Makreas

24 Dated: September 28, 2011

25  
26   
27  
28 EUGENE WHITLOCK  
San Mateo County Counsel's Office

1 Attorney for Defendants, County of San Mateo;  
2 San Mateo County Sheriff's Office; San Mateo  
3 County Sheriff Greg Munks; and San Mateo  
4 County Sheriff's Deputy Stephen Duvall; San  
5 Mateo County Sheriff's Deputy Stephen Valencia

6 **ORDER**

7 IT IS HEREBY ORDERED THAT the above-entitled action shall be dismissed without  
8 prejudice against defendants County of San Mateo; San Mateo County Sheriff's Office; San  
9 Mateo County Sheriff Greg Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San  
10 Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia  
11 pursuant to Federal Rule of Civil Procedure 41.

12 Plaintiff and defendants County of San Mateo; San Mateo County Sheriff's Office; San  
13 Mateo County Sheriff Greg Munks; San Mateo County Sheriff's Deputy Stephen Duvall; San  
14 Mateo County Sheriff's Deputy Hoss; and San Mateo County Sheriff's Deputy Valencia will  
15 bear their own costs and fees.

16 Any statute of limitations governing any claim against defendants County of San Mateo;  
17 San Mateo County Sheriff's Office; San Mateo County Sheriff Greg Munks; San Mateo County  
18 Sheriff's Deputy Stephen Duvall; San Mateo County Sheriff's Deputy Hoss; and San Mateo  
19 County Sheriff's Deputy Valencia is tolled from the date this action was filed, May 6, 2011, and  
20 ending 6 months after the date of the filing of this stipulation.  
21

22 Dated: September 29, 2011

23   
24 THE HON. JEFFREY S. WHITE  
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